

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Servants – Commercial Taxes Department – Allegation of committing irregularities by Sri B. Vijendra Rao, Assistant Commissioner, Commercial Taxes, Guntur District (now retired) while working as I/c. Assistant Commissioner, Guntur-II Division in effecting revision orders in the case of M/s. Vishal Beer & Wines, Tirupathi – charges framed – Inquiry Report Communicated – Punishment of withholding of full pension and entire gratuity permanently – Imposed – Orders – Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Ms.No.193

Dated:02-06-2017
Read the following:-

- 1) Charge Memo Ref.No.D3/356/2003, dt.22.02.2003 of the CCT.
- 2) Explanation of Sri B.Vijendra Rao, incharge AC(CT), dt.20.05.2003.
- 3) G.O.Rt.No.605, Rev(Vig.I) Dept, Dt.06.04.2004.
- 4) G.O.Rt.No.606, Rev(Vig.I) Dept, Dt.06.04.2004.
- 5) Inquiry Report of the JC, CT, DMU, O/o CCT, Hyd, Dt.20.07.2004.
- 6) Govt. Memo No.39002/Vig.I(1)/2003-4, dt.29.10.2005
- 7) Representation of Sri B.Vijendra Rao, incharge AC(CT), dt.18.02.2006.
- 8) Govt.Memo No.39002/Vig.I(1)/2003-8, dt.04.01.2008
- 9) From the CCT,Lr No.V1/356/2003 Dt.21.10.2013
- 10) G.O.Ms.No.111, Rev(Vig.I) Dept, Dt.19.02.2013

ORDER:

WHEREAS, a disciplinary case was initiated against Sri B.Vijendra Rao, Commercial Tax Officer, Commercial Taxes (Retired) for the irregularity committed by him while working as I/c. Assistant Commissioner, Guntur-II Division in effecting revision orders in the case of M/s. Vishal Beer & Wines, Tirupathi without giving correct effect to the revision orders passed by Commissioner of Commercial Taxes in the assessment year 1992-93 that resulted in loss of revenue to Government. The following article of charges have been framed against Sri B.Vijendra Rao, Commercial Tax Officer, Commercial Taxes (Retired) by the Commissioner of Commercial Taxes vide reference 1st read above:

ARTICLE OF CHARGE:

Sri B.Vijendra Rao, In-charge Assistant Commissioner (Audit), Guntur-II division (under suspension) while working as Commercial Tax Officer-I, Tirupathi did not correctly give effect to the revision orders passed by the Commissioner (Commercial Tax) in the case of M/s. Vishal Beer & Wines, Tirupathi for the assessment year 1992-93 which resulted a loss of revenue of Rs.45,22,761/- to the State Exchequer.

There was huge loss of revenue to Government due to lack of devotion to duty and carelessness of Sri B.Vijendra Rao, which is part of amounting to misconduct and violation of APCS(Conduct) Rules, 1964.

2. Sri B.Vijendra Rao, Commercial Tax Officer, Commercial Taxes (Retired) has submitted his explanation denying the charges vide reference

[Contd..2]

::2::

2nd read above. Since the charged officer was retired from service, the Commissioner of Commercial Taxes has requested the Government to take further action as per Revised Pension Rules 1980, as the Government is competent authority to initiate action against the retired Officer. The Government has appointed the Inquiring Authority and Presenting Officer vide references 3rd & 4th read above respectively for conducting regular Inquiry on the charges framed against the Charged Officer. The Enquiry Officer has conducted the enquiry and submitted the report holding that the charge held proved.

3. The Government after examining the Inquiry report, have provisionally decided to impose the punishment of withholding of pension and gratuity in full permanently and communicated a copy of the Inquiry Report to the Charged Officer vide reference 6th read above indicating the proposed punishment. And whereas Sri B.Vijendra Rao has submitted his explanation stating that he was not involved in passing provisional or final assessment orders in respect of M/s.Vishal Beer and Wines, Tirupathi for any year & the question of imposing lesser rate by him does not arise and the element of loss of revenue as a result of action does not arise. Hence, request to drop further action.

4. The Government, after careful examination of the matter, have requested the Commissioner of Commercial Taxes to furnish his report whether the contentions of the charged officer have been borne out by any evidence vide reference 8th read above. The Commissioner of Commercial Taxes, vide reference 9th read above, has furnished the report.

5. WHEREAS, in another case, i.e., in disproportionate assets case filed against the above Charged Officer, Sri B.Vijendra Rao, Commercial Tax Officer, Commercial Taxes (Retired), the Accused Officer was convicted in the Anti Corruption Bureau court in CC No.12/2005, dt.17-09-2012 and the Government have issued orders imposing the punishment of withholding pension and gratuity in full and permanently vide reference 10th read above.

6. The Government after careful examination of the matter with the representation of Charged Officer and report of Commissioner of Commercial Taxes have decided and hereby order to impose punishment of withholding of pension and gratuity in full permanently against Sri B.Vijendra Rao, Assistant Commissioner (Commercial Taxes) in the instant case. However, as the same punishment has been already imposed against Sri B.Vijendra Rao in the Disciplinary Authority case for his conviction in the reference 10th read above.

7. The Commissioner of Commercial Taxes shall take necessary action accordingly.

(BY ORDER IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To
Sri B. Vijendra Rao, Assistant Commissioner, Commercial Taxes (Retired)
through Commissioner of Commercial Taxes, Andhra Pradesh,
Vijayawada.

The Commissioner of Commercial Taxes, Andhra Pradesh, Eedupugallu,
Vijayawada.(with a request to serve the G.O. on the individual and
send the served copy with dated signature to Government for
record.)

[Contd..3]

::3::

Copy to:

The Director of Treasuries & Accounts, Andhra Pradesh, D.No.7-57, Sri Anjaneya Towers, VTPS Road, Ibrahimpatnam, Vijayawada.

The Accountant General, Andhra Pradesh, Hyderabad.

The Director General, Anti-Corruption Bureau, PN Bus Station, NTR Admin Block, 2nd Floor, Vijayawada.

The Secretary to Vigilance Commissioner,
Andhra Pradesh Vigilance Commission, Velagapudi.

The Revenue (CT-I) Department.

Sf/Sc

//FORWARDED::BY ORDER//

SECTION OFFICER